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In re Application of
BIRYUKOV, Sergey, Vladimirovich, et al.
U.S. Application No.: 09/937,474
PCT No.: PCT/EP00/02508
International Filing Date: 22 March 2000
Priority Date: 25 March 1999
Attorney's Docket No.: RDID01051US
For: METHOD FOR SYNTHESIS OF POLY-
PEPTIDES IN CELL-FREE SYSTEMS

COMMUNICATION
REGARDING RENEWED
SUBMISSION UNDER
37 CFR 1.42

In a decision mailed 12 November 2002, this Office refused the declaration filed by applicants on 15 August 2002 for failure to satisfy 37 CFR 1.497. Specifically, the declaration submitted on 15 August 2002 (executed by Alena Simonenko on behalf of the deceased inventor Peter Simonenko) did not comply with 37 CFR 1.497(b)(2) in that it did not include citizenship, mailing address, and residence information for Alena Simonenko, nor did the declaration itself set forth the relationship between Alena Simonenko and the deceased inventor (the relationship was set forth in a separate document).

On 21 January 2003, applicant filed the "Response To Communication Regarding Papers Submission Under 37 CFR 1.42" considered herein. The Response included a revised declaration again executed by Alena Simonenko on behalf of the deceased inventor. The revised declaration expressly states the relationship of the signee to the deceased inventor ("Legal Representative") and it sets forth the citizenship, mailing address, and residence information for both the deceased inventor and the heirs, as required.

Based on the above, the revised declaration filed 21 January 2003 (in combination with the previously filed declaration executed by the surviving inventors) is **ACCEPTED** under 37 CFR 1.42 and 37 CFR 1.497.

Deposit Account No. 50-0877 will be charged the \$110 fee for the one month extension of time required to make the 21 January 2003 a timely response to the previous decision.

The application is being forwarded to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accord with this decision. The 35 U.S.C. 371 date is 21 January 2003.

A handwritten signature in black ink, appearing to read 'RMR', is positioned above the typed name.

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